

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**In re:** :  
: **Case No.: 23-10802**  
**Christopher R. Kreamer** : **Chapter 13**  
: **Judge Patricia M. Mayer**  
**Debtor(s)** : **\*\*\*\*\***

**Wilmington Savings Fund Society, FSB,**  
**as trustee of Stanwich Mortgage Loan**  
**Trust J**

**: Date and Time of Hearing**  
**: Place of Hearing**  
**: February 28, 2024 at 01:00 p.m.**

vs

**Christopher R. Kreamer**  
**Julie A. Kreamer**  
**Kenneth E. West**

**Movant,** :  
: **U.S. Bankruptcy Court,**  
: **900 Market Street, Courtroom #1,**  
: **Philadelphia, PA, 19107**  
:

## Respondents.

**MOTION OF WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF  
STANWICH MORTGAGE LOAN TRUST J FOR RELIEF FROM THE AUTOMATIC  
STAY AND CODEBTOR STAY AS TO JULIE A. KREAMER ON FIRST MORTGAGE  
FOR REAL PROPERTY LOCATED AT 507 COLUMBIA AVENUE, LANSDALE, PA**  
19446

Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust J ("Creditor"), by and through the undersigned counsel, moves the Court pursuant to 11 U.S.C. § 362(d) for an Order granting relief from the automatic stay and pursuant to 11 U.S.C. § 1301 granting relief from the codebtor stay as to Julie A. Kreamer on the real property located at 507 Columbia Avenue, Lansdale, PA 19446 ("Property"). In support of its motion, Creditor states the following:

1. Christopher R. Kreamer ("Debtor") filed a petition for relief under Chapter 13 of the Bankruptcy Code on March 21, 2023 (the "Petition Date").

2. On May 22, 2009, Debtor and Julie A. Kreamer (“Codebtor”) executed a Note in the original amount of \$234,842.00 (the "Note"). A copy of the Note is attached hereto as Exhibit A.
3. To secure the Note, a Mortgage, executed by Debtor and Codebtor, was given May 22, 2009, and recorded June 19, 2009. A copy of the Mortgage and subsequent Assignments of Mortgage are attached as Exhibit B, evidencing perfection of Creditor's security interest in the Property which is more particularly described in the Mortgage.
4. The terms of the Note were subsequently modified as set forth in the loan modification agreements, attached as Exhibit C and Exhibit D.
5. There are no other liens against the property as listed in Debtor's Schedule D.
6. As of January 23, 2024, the total outstanding amount due on the Note is \$250,351.30 which consists of:

Principal	\$222,011.05
Interest	\$11,999.39
Escrow Advance	\$8,175.30
Late charges	\$0.00
Other Fees	\$8,165.56
Suspense funds	\$(0.00)

7. Creditor seeks relief from the automatic stay pursuant to 11 USC § 362(d) and the codebtor stay pursuant to 11 USC § 1301 to proceed under applicable non-bankruptcy law to enforce its remedies and to take any and all actions necessary to accelerate the balance due on the Note, to foreclose the Mortgage in accordance with state law, to apply the net proceeds to the obligation, and to otherwise exercise its contractual and state law rights as to the Property.
8. Creditor is entitled to relief from the automatic stay for the following reason(s):

- a. Creditor is not adequately protected per 11 USC § 362(d)(1) based upon Debtor's post-petition default.
- b. Debtor and Codebtor are in default post-petition. Debtor and Codebtor have failed to make full post-petition payments for the past 3 months as of January 23, 2024 and are in default in the amount of \$5,379.72. This amount is broken down as follows:

<b><u>Post-Petition Payments Delinquent to Creditor</u></b>		
<b>Date Range</b>	<b>Amount</b>	<b>Total</b>
November 2023 to January 2024	\$1,812.43	\$5,437.29
Suspense: \$(57.57)		
Total: \$5,379.72		

9. Creditor previously filed a Motion for Relief from Automatic Stay and Codebtor Stay on July 14, 2023 (docket number 35) which was resolved by a Stipulation filed on October 10, 2023 (docket number 57) and granted on October 13, 2023 (docket number 58).  
  
Pursuant to the terms of the Stipulation, Creditor shall file a Motion for Relief based upon Debtor's failure to remit any future monthly mortgage payment on or before the date on which it is due.
10. Creditor requests that the Court order that Rule 4001(a)(3) is not applicable.
11. Creditor further requests that further compliance with Fed.R.Bankr.P. 3002.1 be waived as to creditor in the instant bankruptcy case upon entry of an Order granting relief from the automatic stay.

WHEREFORE, Creditor prays for the entry of an Order Granting Relief from the Automatic Stay and the Codebtor Stay.

Respectfully submitted,

/s/Alyk L. Oflazian

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Attorneys for Creditor

The case attorney for this file is Alyk L. Oflazian.

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>In re:</b>	:	
	:	<b>Case No.: 23-10802</b>
<b>Christopher R. Kreamer</b>	:	<b>Chapter 13</b>
	:	<b>Judge Patricia M. Mayer</b>
<b>Debtor(s)</b>	:	<b>*****</b>
	:	
<b>Wilmington Savings Fund Society, FSB,</b>	:	<b>Date and Time of Hearing</b>
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<b>Trust J</b>	:	<b>February 28, 2024 at 01:00 p.m.</b>
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<b>Movant,</b>	:	
<b>vs</b>	:	<b>U.S. Bankruptcy Court,</b>
	:	<b>900 Market Street, Courtroom #1,</b>
<b>Christopher R. Kreamer</b>	:	<b>Philadelphia, PA, 19107</b>
<b>Julie A. Kreamer</b>	:	
<b>Kenneth E. West</b>	:	

**Respondents.**

**CERTIFICATE OF SERVICE**

I certify that on the date of filing, a copy of the foregoing Motion of Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust J for Relief from the Automatic Stay and Codebtor Stay as to Julie A. Kreamer on First Mortgage for Real Property located at 507 Columbia Avenue, Lansdale, PA 19446 was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

KENNETH E. WEST, Office of the Chapter 13 Standing Trustee,  
ecfemails@ph13trustee.com

MICHAEL W. GALLAGHER, Attorney for Christopher R. Kreamer, mwglaw@msn.com

I certify that on the date of filing, a copy of the foregoing document was sent by U.S. Mail to the following:

Christopher R. Kreamer, 507 Columbia Avenue, Lansdale, PA 19446

Julie A. Kreamer, 507 Columbia Avenue, Lansdale, PA 19446-3505

/s/Alyk L. Oflazian